

### REMARKS

Claims 1-26 are currently pending. Applicants respectfully request reconsideration of the captioned application in view of the following remarks.

#### *Claim Rejections – 35 USC § 102*

Sections 1-2 of the office action rejected claims 1, 3-6, 8, 10 and 12-17 under 35 USC 102(b) as allegedly unpatentable over U.S. Patent No. 6,036,099 to Leighton ("Leighton"). Applicants respectfully traverse these rejections.

It is well accepted that, to anticipate a claim, a prior art reference must disclose each claim element. MPEP 2131 (citations omitted). First, independent claim 1 includes "a foam core...." The office action references the core 33 disclosed in Leighton, specifically citing Figures 4-8 and col. 5, lines 13-67 of Leighton. Beginning at line 13 of col. 5, Leighton discloses,

"As shown in FIG. 4, one or more cards 10 in accordance with the present invention may be manufactured by positioning an electronic element 20, including contact points 26, between first and second sheets of card stock 30, 32 to form a core 33."

Thus, referring to Figure 4 of Leighton, the core 33 includes electronic elements 20 ("microprocessor chip, circuit board, transponder, etc." col. 4, ll. 36-37) sandwiched between two sheets of card stock. There is no disclosure of a *foam* core as recited in claim 1.

Moreover, claim 1 recites "a low-dielectric constant expanded poly-vinyl-chloride foam sheet disposed on at least one surface of the foam core." The office action refers to the sheets of card stock 30, 32 disclosed in Leighton regarding this claim element. However, Leighton does not appear to disclose the sheets of card stock 30, 32 disposed on a foam core; rather, there are electronic elements 20 situated between the sheets of card stock 30, 32.

Still further, claim 1 recites "expanded poly-vinyl-chloride foam." In contrast, the cited portions of Leighton disclose *card stock*. Leighton notes that the preferred plastic material for the sheets of card stock 30, 32 is PVC having a thickness of 0.007 inches to 0.024 inches. The disclosure of very thin card stock appears to teach away from the claimed use of expanded PVC foam.

Thus, Applicants respectfully contend that Leighton fails to disclose each claim element, and therefore cannot anticipate claim 1, or any claims dependent thereon.

Independent claim 10 also includes "expanded poly-vinyl-chloride foam," and further recites the expanded PVC foam "having a dielectric constant equal to or less than two." Regarding claim 10, the office action simply cites "figures 4-8, col. 5, lines 13-67 to col. 8, lines 1-41." However, there Leighton does not appear to make any reference to the dielectric constant of the card stock disclosed therein. Leighton simply notes that PVC is a preferred material for the card stock, but only discloses the use of thin cards, as opposed to the thicker expanded PVC foam recited in claim 10.

Since Leighton fails to disclose each element of claim 10, is cannot anticipate claim 10 or any of the claims depending therefrom.

As independent claims 1 and 10 are believed to be proper for allowance, claims 2-9 and 11-18 depending therefrom, respectively, are also allowable.

***Claim Rejections – 35 USC § 103***

Sections 3-4 of the office action rejected claims 2, 11 and 18 under 35 USC 103(a) as allegedly being unpatentable over Leighton. Applicants respectfully traverse these rejections. As noted above, claims 1 and 10 are believed to be proper for allowance. Claims 2, 11 and 18 are thus also allowable for at least the same reasons.

***Allowable Subject Matter***

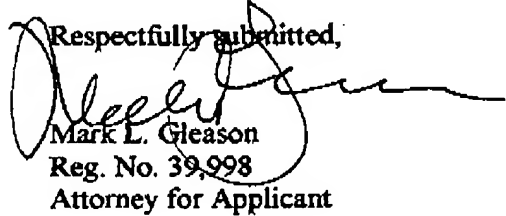
Section 5 noted that claims 7 and 9 contained allowable subject matter but were objected to as depending from a rejected base claim. The Examiner's acknowledgment of the allowable subject matter is appreciated. However, claim 1, from which claims 7 and 9 both ultimately depend, is believed to be in condition for allowance. For at least this reason, claims 7 and 9 are also allowable, thus overcoming the objection thereto.

Section 6 of the office action noted that claims 19-26 are allowed.

**Conclusion**

As evidenced by the foregoing remarks, Applicants have made a genuine effort to address each concern raised in the office action. All of the pending claims are believed to be in condition for allowance. The Examiner is invited to contact the undersigned attorney with any concerns or questions regarding the present application.

Respectfully submitted,

  
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